

# THE INDEPENDENT

— ISSUED —

EVERY AFTERNOON

(Except Sunday)

At "Brito Hall," Konia Street.

TELEPHONE 841

"Against the wrong that needs resistance,  
For the right that needs assistance,  
For the future in the distance,  
And the good that we can do."

"I am in the place whereof I am demanded  
of conscience to speak the truth, and the truth  
I speak, impugn it who so list."

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G. C. KENYON, - - Manager.

Residing in Honolulu

THURSDAY, JULY 18, 1894.

## THE WORM WILL TURN.

For the last year has the ancient paper of Merchant street preserved a somniferous attitude and growled at nothing, criticised nothing and complained of nothing. The spell resting on the paper has finally been lifted and at last the official organ shows temper. We hope it is not a case of grippe which has struck the solemn office and trust that the distemper or temper is only temporary and that Morpheus will yet reign supreme again. The Advertiser man was not allowed on board the City of Peking yesterday by an official of the Board of Health. The Advertiser man is mad. If he wants to get cholera he claims that he has the same right to do so as have baggage men, naval officers and hack drivers generally, who all were allowed to board the steamer, while the official representative of the most official paper had to cool his heels on the outside and was prevented from interviewing the 300 Chinese and other passengers. We admit the Board of Health's agent ought to be censured. To prevent the Advertiser from obtaining an easy death from cholera, is not good policy nor in the interest of the public. No discrimination should be made in the spreading of diseases. Baggage men, naval officers, etc., should have no better opportunity to contract cholera than should the Advertiser man. The Board of Health should look into this matter at once and see that the "great papier" is accommodate in the future.

That the Advertiser is mad, can be seen from the following conversation between the President of the Board of Health and the great editor of the P. O. A.

P. of B. of H. "Mr. Editor what do you think of sparrows and worms?" E. of P. O. A. "Really, Mr. President, I couldn't judge. I never had the sparrows, but at present I —"

## A SOMERSAULT.

The few people who yet read the Evening Bulletin were treated to a surprise last evening when the sheet came out editorially in favor of, and defending the proposed franchise to

an electric car company. The article, which evidently was written outside of the editorial rooms, gives no reason and no excuse for the change in the paper's policy. It looks as if it was intended for Mr. Castle's organ and through some mysterious agency had found its way into the columns of the Bulletin. Perhaps the editor can explain the said mysterious agency.

The arguments in favor of the franchise advanced by the Bulletin are neither new nor convincing. It adopts the statement of the Advertiser that the promoters are willing to furnish a bond after right of way has been obtained. How very condescending indeed! How generous of the eight gentlemen, of whom three have got money and the rest "experience!" But, why not secure the right of way before getting the franchise, and why not give a bond before the exclusive right prayed for is obtained?

Nobody will ask the company to purchase private property before obtaining a franchise, but it is surely not too much to request that the promoters ascertain if the needed private property can be obtained without lawsuits, and if legal or even diplomatic complications may not arise by the forced sequestration of private property belonging to foreigners for the benefit of a private concern.

It is possible that the owners of the property proposed to be sequestered are all perfectly willing to transfer their lands to the company. A conditional agreement could easily be entered upon to that effect, and on the day of the granting of the franchise the company could find no reason to refuse to give a bond for the faithful performance of its part of the contract.

We have criticised the proposed bill in former issues and showed its preposterous deficiencies. We will add to day that there are no provisions in the bill for the amount of rates to be charged by the company for the carriage of passengers. This is an important item. The Hawaiian Tramway Company's rates are fixed by law. Why should not the same be done in regard to the proposed company?

As the bill now stands neither the Government nor the public are secured. The further the bill is investigated the more it shows that the object of it is to obtain a franchise which, in the near future, may be a marketable article, and which may gain for its irresponsible promoters a fair compensation for nothing.

When the business of the town will warrant the establishment of the electric system the present Tramway Company and local capitalists will provide it. Until then it is just as well to leave the matter in abeyance, and not saddle the country with a "speculative" franchise that can never be of any benefit to the community, but will only act as a check on bona fide future promoters of rapid transfer.

Gentlemen of the Legislature, take a look at the color of the coin of the Victoria-Castle combination before taking a step which will be irrevocable for at least two years, and then ask the Bulletin to keep on defending the scheme. Then it will be defeated.

## TOPICS OF THE DAY.

THE INDEPENDENT is again to the front. First the forcing of the financial statement, then the killing of the school—or not school—bill, now the re-committing of the title of the Land Bill as unconstitutional, and the relegation of the low grade kerosene Act to committee to find out its object. We don't want the Government to go wrong, but if they do,

"A Chief's among ye, takin' note,  
And, faith, he'll prent it."

Senator Baldwin in the debate on the Land Bill said that certain provisions would, be in the hands of a ministry unfriendly to the sugar interests, capable of working great injury to the planters and their interests. He suggested that Ministers Hatch and Smith's attitude on the question of re-leasing land showed that this Cabinet was unfriendly to the planters.

Various sections of the Land Act seem to offer a premium on divorce, separation, or annulment of marriage. As worded now, only one of a married couple can get any land under any portion of the Act. But having so got some land either party to the marriage bond when either divorced or separated or having had the marriage annulled can get more. And in addition, persons already divorced, separated or having had the marriage annulled can apply for land, though they now possess some. No single or married persons can do this.

Professor M. M. Scott is a member of the Board of Education. The Board, of which he is a member, has just promoted him to be principal of the new High School. What kind of business do you call this? Was there any previous notification of any such appointment being required? The name in other countries for such action would be styled jobbery. These remarks do not mean any more than that Professor Scott should have resigned before accepting the appointment and that it should only have been given after public notice, sufficiently long to allow of properly qualified candidates hearing of the position and having a chance to apply.

The Constitution of the Republic is its supreme authority. It binds everything—the Executive, Legislative, and Judicial departments—in its octopus-like arms. By it, and only by it, our Legislators "live, move, and have their being." Anything contrary to it is invalid. Article 63 of that Constitution says: "Each law shall embrace but one subject which shall be expressed in its title. The Title of a Law amending or repealing another law shall refer to the section or chapter of the law to be amended or repealed and to the subject matter involved." (The italics are ours.) Now by this section the whole lands act, from its inception to its present state of being "a thing of shreds and patches" of amendments is invalid. It embraces more than one subject, its title is defective, the act specifically repealed is not repealed by chapter and section, and generally speaking much retrospective legislation forbidden by art. 71 of Constitution in regard to Crown land leases, government land leases and Oloo lands is introduced. It may be urged that a subversive Supreme Court will interpret any act of the supreme

Executive as Constitutional. The Cupid habeas corpus case may even be cited in point. But that is of no avail. That only touched on the loss of liberty to a single individual quasi-opponent of the Republic. This act trenches on the sacred rights of "Property." How many sugar plantations are there now wholly existing on government or Crown Land leases? If they are not satisfied with their prospects of re-leasing or otherwise getting an eternal "cinch" on their lands (as Minister Hatch says)—can't they test the constitutionality? If an Oloo settler doesn't get his patent because the Land Commissioners think he has only done 14½ per cent of cultivation instead of 15 won't he try his luck? And then all this labor will have been in vain. For the courts must declare the act unconstitutional in its present shape. Retrace your steps, gentlemen. Cut the act up into separate acts each embracing but one subject, and everything will be alright. It wouldn't take the Judiciary Committee long to do it aided by a skillful draughtsman.

Government exists for the public benefit. Secrecy in its acts is only justifiable when the public safety requires it, the effect on public morals would justify it, or when publicity would aid in the escape of criminals. Formerly when we had a monarchy the government was run by the representatives of the people and the Cabinets confirmed by them. There was then no need of secrecy and about everything necessary was freely open to the public or their representatives. Now we have a Republic. Yet every little section of it, whenever it wants to put up a job, cover up its tracks or perpetrate an injustice votes itself into executive session, and excludes the public from all actual knowledge of the transactions. The latest addition to the list is the Board of Education. They deliberately suppress all inspection of the list of candidates who have failed or passed in the recent examination for teacher's certificate. Where else in the world is such action ever taken? What job is being concealed here? What petty trickery performed? The Board ought to know that public office is simply a public trust delegated to them and that they don't own the educational system of the country as their private and peculiar privilege. Government by camarilla is not suited for a Republic—not even a Hawaiian one.

Extract from the foot binding bill as passed on its 3rd reading. "Section 2: Foot binding is hereby forbidden, and any person who binds or attempts to bind the feet as covered or intended to be covered by section 1 of this act, etc., etc." Who wants to bind feet as covered by section one of this act? They generally cover feet with shoes and stockings.

## REMOVAL NOTICE.

J. H. SCHNACK HAS REMOVED HIS Office from the I. X. L. to Fort Street, over John R. Leaza's. Office—Honolulu: 8 to 8:30 A. M.; 12 M. to 1 P. M.; 4 to 5 P. M. 21-74

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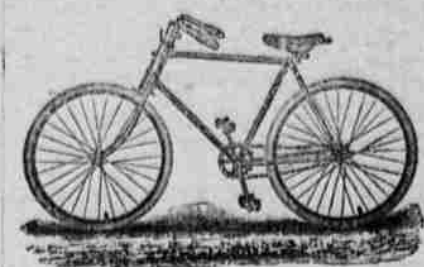
For particulars apply to GONSALVES & CO., Queen Street.

## FOR SALE

1 Second-hand Light Spring Dray

In Good Condition. Apply to W. O. PEACOCK & CO.

## Timely Topics.



Honolulu, July 9, 1895.

Lord Rosebury is out and Lord Salisbury is in. The change is of course of the greatest importance and it is proper to look into the causes which led to the speedy downfall of the Liberal party. The majority of the Liberals will say that the retirement of Gladstone from the premiership made his party weak, and that Rosebury could not hold the different factions together. Others will claim that the vacillating foreign policy pursued by the Liberal government made the party which it represented and from which it gained its power unpopular. The English people are always preaching peace themselves, but they do not allow their government to do it and they are jealous of any real or imaginary attempt to infringe on their dignity as a nation by any "blasted furriner." The vexed question of Home Rule has also been blamed for the downfall of the Liberals, and there is no doubt that the failure to solve that question has something to do with Rosebury's defeat. It is finally said that the ex-premier's inclination for race horses made him unpopular among the very Christian middle classes who consider betting on the track and all the other paraphernalia of a horse race as works of His Satanic Majesty. And that is the real mistake made by Lord Rosebury. If he had possessed sufficient wisdom he would have dropped horse racing and horses and he would have purchased a Monarch Bicycle and gone out wheeling. We are now expecting a fresh invoice. It took only one month to sell the first lot imported by us. We have only two wheels left and they are both intended for ladies. The wheel is becoming so popular and so fashionable in Honolulu that very shortly everybody that knows enough to be in the move will own a Monarch and spin a long streets and roads. As long as you sit on them you can't fall off. The Monarch is as intelligent as a horse and carries you perfectly safe, and it never shies. We suggest to all persons who now ride or who intend to do so to leave their orders for a Monarch now. Our invoice will be here in the "Australia" and it may be too late to secure a wheel after the steamer arrives. Orders are now pouring in. Remember that we are the Sole Agents of the Monarch in the Hawaiian Islands, and that the wheel cannot be purchased elsewhere in Honolulu.

The Hawaiian Hardware Co., Ltd

307 FORT STREET,  
Opposite Spreckels' Block.